

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- against -

ORDER OF
JUDICIAL REMOVAL

MILEDY A. ARIAS,

Criminal Docket No. 21 MJ 2844

a/k/a "Miledy Altagracia Sanchez"
a/k/a "Miledy Altagracia Sanchez
De Arias,"

Defendant.

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Upon the application of the United States of America, by Marguerite B. Colson, Assistant United States Attorney, Southern District of New York; upon the Factual Allegations in Support of Judicial Removal; upon the consent of MILEDY A. ARIAS a/k/a "Miledy Altagracia Sanchez" a/k/a "Miledy Altagracia Sanchez De Arias," (the "defendant") and upon all prior proceedings and submissions in this matter; and full consideration having been given to the matter set forth herein, the Court finds:

1. The defendant is not a citizen or national of the United States.
2. The defendant is a native of the Dominican Republic and a citizen of the Dominican Republic.
3. The defendant was convicted on or about August 26, 2005, of importation of heroin, in the United States District Court for the Eastern District of New York, in violation of 8 U.S.C. §§ 952(a) and 960(b)(3).

4. After having been removed from the United States on October 3, 2005, the defendant entered the United States without being admitted or paroled, or at a time or place other than as designated by the Attorney General.

5. At the time of sentencing in the instant criminal proceeding, the defendant will be convicted in this Court for the offense of illegal reentry into the United States in violation of 8 U.S.C. §§ 1326(a) and (b)(2).

6. A maximum sentence of 20 years' total imprisonment may be imposed for this offense.

7. The defendant is, and at the time of sentencing will be, subject to removal pursuant to section 212(a)(6)(A)(i) of the Immigration and Nationality Act (INA), as amended, 8 U.S.C. § 1182(a)(6)(A)(i), as an alien who is present in the United States without being admitted or paroled, or who arrived in the United States at any time or place other than as designated by the Attorney General; and pursuant to Section 212(a)(9)(C)(i)(II) of the INA; 8 U.S.C. § 1182(a)(9)(C)(i)(II), as an alien who has been ordered removed under section 235(b)(1), section 240, or any other provision of law, and who enters or attempts to reenter the United States without being admitted.

8. The defendant has waived her right to notice and a hearing under section 238(c) of the INA, 8 U.S.C. § 1228(c).

9. The defendant has waived the opportunity to pursue any and all forms of relief and protection from removal.

THEREFORE, IT IS HEREBY ORDERED, pursuant to INA section 238(c), 8 U.S.C. § 1228(c), that the defendant shall be removed from the United States to the Dominican Republic promptly upon her satisfaction of any sentence of imprisonment, or, if the defendant is not sentenced to a term of imprisonment, promptly upon her sentencing.

Dated: New York, New York
 May 6, 2021



THE HONORABLE P. KEVIN CASTEL
UNITED STATES DISTRICT JUDGE